

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

NATIONAL LABOR RELATIONS BOARD,)	
)	
)	
Petitioner,)	Docket Nos. 18-1237, 18-1332,
)	18-1333, 18-1334
)	
v.)	
)	
UPMC and its subsidiary UPMC)	
PRESBYTERIAN SHADYSIDE,)	
Single Employer, d/b/a UPMC)	
PRESBYTERIAN HOSPITAL and)	
d/b/a UPMC SHADYSIDE)	
HOSPITAL,)	
)	
Respondents.)	

**RESPONDENT UPMC’S ANSWER TO
APPLICATION FOR ENFORCEMENT OF
AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD**

Respondent, UPMC, by its counsel, and pursuant to Fed. R. App. P. 15(b)(2), answers the Application for Enforcement of an Order of the National Labor Relations Board (“Application for Enforcement”) filed in Case No. 18-1332 as follows:

1. UPMC admits the National Labor Relations Board (the “Board”) issued a Decision and Order on December 11, 2017, in Board Case Nos. 06-CA-102465, 06-CA-102494, 06-CA-102516, 06-CA-102518, 06-CA-102525, 06-CA-102534, 06-CA-102540, 06-CA-102542, 06-CA-102544, 06-CA-102555, 06-CA-102559, 06-CA-104090, 06-CA-104104, 06-CA-106636, 06-CA-107127, 06-CA-107431,

06-CA-107532, 06-CA-107896, 06-CA-108547, 06-CA-111578, and 06-CA-115826, reported at 365 NLRB No. 153.

2. UPMC admits this Court has jurisdiction to hear the Application for Enforcement pursuant to Section 10(e) of the National Labor Relations Act, as amended, and that venue is proper.

3. UPMC denies the Board is entitled to enforcement of its Decision and Order in full because the issue of which remedies, if any, may be ordered against UPMC Presbyterian Shadyside (“Presbyterian Shadyside”) has not been finally resolved. Indeed, Presbyterian Shadyside filed a Petition for Review of the Board’s August 27, 2018 Decision and Order, docketed at Case No. 18-1334. UPMC cannot be ordered to ensure Presbyterian Shadyside’s compliance with any remedies ordered therein until a final decision as to the remedies, if any, to be ordered against Presbyterian Shadyside is issued.

WHEREFORE, UPMC opposes the Application for Enforcement, and requests that the Court grant UPMC any further relief to which it may be entitled.

Dated: January 3, 2019

Respectfully submitted,

/s/Jennifer G. Betts

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SHADYSIDE HOSPITAL,)	
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Respondents.)	

CERTIFICATE OF SERVICE

I certify that the foregoing Answer to Application for Enforcement of an Order of the National Labor Relations Board was served by United States First Class mail on January 3, 2019, to the following:

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